

Licence of employment agency revoked

â€‹The Labour Department (LD) today (June 3) reminded operators of employment agencies (EAs) to conduct their business in compliance with the law and the requirements of the Code of Practice (CoP) for EAs at all times.

The LD has revoked the EA licence of Best Ka Hei Employment Agency located in Kowloon City. The EA failed to meet the requirements as set out in the CoP, including failing to draw up service agreements with employers; failing to include all required items in the service agreements drawn up with employers and foreign domestic helpers (FDHs); failing to provide receipts after receiving payments from FDHs; failing to include all required items in the payment receipts issued to employers; failing to arrange for employers to sign an acknowledgement on receipt of publications and sample forms, and for them to be fully briefed by EAs about their rights and obligations; and failing to keep records relating to the dealings of employers and FDHs, including acknowledgement regarding their receipt of the signed standard employment contract.

Under section 53(1)(c)(iva) of the Employment Ordinance (EO), the Commissioner for Labour may revoke the licence of an EA if he is satisfied that the licensee concerned has not complied with the CoP.

An LD spokesman said, "The CoP sets out the salient legal requirements that EA operators must observe in operating their business, as well as the standards which the Commissioner expects from EAs. The Employment (Amendment) Ordinance 2018, which came into effect on February 9, 2018, stipulates that the Commissioner may refuse to issue or renew a licence, or may revoke a licence, if he is satisfied on reasonable grounds that the licensee or the person intending to be the licensee of an EA, or a related person of or an individual employed by the licensee or the person intending to be the licensee, has contravened any provision of Part XII or any regulation made under section 62 of the EO, such as overcharging job seekers or operating an EA without a licence, or has not complied with the CoP issued under section 62A(1) of the EO."

The LD has revoked the licences of a total of seven EAs since 2020, including the above case.

For enquiries about matters related to EAs or complaints about alleged malpractices, please call the Employment Agencies Administration of the LD at 2115 3667, or visit its office at Unit 906, 9/F, One Mong Kok Road Commercial Centre, 1 Mong Kok Road, Kowloon.